



U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Public Notice

Applicant:
The Nature Conservancy
(Oak Openings Metropark)

Published: June 14, 2021
Expires: July 14, 2021

Application No: LRB-2019-00047 & LRB-2012-01404
Section: OH

All written comments should reference the above Application No. and be addressed to:
Buffalo District U.S. Army Corps of Engineers
Buffalo District Office (Attn: Susan Baker)
1776 Niagara Street
Buffalo, NY 14207

INTERESTED PARTIES ARE HEREBY NOTIFIED THAT THE NATURE CONSERVANCY HAS PROPOSED THE OAK OPENINGS METROPARK MITIGATION SITE TO BE INCORPORATED INTO THEIR IN-LIEU FEE MITIGATION PROGRAM (ILFP). A MITIGATION PLAN HAS BEEN RECEIVED FOR THIS SITE PURSUANT TO 33 CFR 332 AND 40 CFR 230. THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE ESTABLISHMENT OF THE PROPOSED MITIGATION SITE AND THE MITIGATION PLAN. THERE IS NOT AT PRESENT AN APPLICATION FOR WORK IN WATERS OF THE UNITED STATES AT THIS SITE HOWEVER DEPARTMENT OF ARMY AUTHORIZATION WOULD BE REQUIRED TO IMPLEMENT THE MITIGATION PLAN. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT THIS MITIGATION SITE WILL BE APPROVED.

APPLICANT: The Nature Conservancy, Ohio Mitigation In-Lieu Fee Program, 6375 Riverside Drive, Suite 100, Dublin, Ohio 43017-5045

LOCATION: The 21.9-acre proposed Oak Openings Metropark ILFP Mitigation Site (Site) is comprised of three parcels. The three parcels are situated entirely within the Oak Openings Preserve owned by Metroparks Toledo. The North Parcel is located northwest of the intersection of Sager Road and Girdham Road, Swanton Township, Lucas County, Ohio (41.576966, -83.857233). The Middle Parcel is located west of the intersection of Sager Road and Girdham Road, Swanton Township, Lucas County, Ohio (41.574359, -83.855094). The South Parcel is located east of Girdham Road and approximately 1400 feet south of Sager Road, Swanton Township, Lucas County, Ohio (41.570385, -83.852859).

BACKGROUND: Under Section 404 of the Clean Water Act (CWA), applicants requesting Department of the Army permits to discharge dredged or fill material into waters of the United States, including wetlands and streams, are often required to mitigate for permitted wetland and

stream losses by creating, restoring, enhancing, or in exceptional circumstances, preserving wetlands and streams. One method of fulfilling this obligation can be to purchase advance credits from an approved ILFP. The establishment and use of an ILFP mitigation site must be in accordance with the ILFP instrument signed by the Interagency Review Team (IRT). The IRT is comprised of the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service (USFWS), the U.S. Department of Agricultural Natural Resources Conservation Service, the Ohio Environmental Protection Agency, and the Ohio Department of Natural Resources. The Nature Conservancy ILFP was approved in December of 2014 and is authorized to provide wetland mitigation via sale of advance credits in forty-four service areas within the State of Ohio, including the Lower Maumee River Service Area (8-digit Hydrologic Unit Code (HUC) 04100009).

The Site is located in the Lower Maumee River Service Area but is proposed to be used to fulfill mitigation obligations assumed by The Nature Conservancy through sale of advance credits in the Lower Maumee Service Area (HUC 04100009), Tiffin Service Area (HUC 04100006), St. Joseph Service Area (HUC 04100003), and Ottawa Service Area (HUC 04100001). To date, 1 advance wetland credit and 502 advance stream credits have been sold in the Lower Maumee Service Area, 3.9 advance wetland credits have been sold in the Tiffin Service Area, 107 advance stream credits have been sold in the St. Joseph Service Area, and 0.4 advance wetland credits have been sold in the Ottawa Service Area.

SITE DESCRIPTION: The Site is part of a 5,000-acre Oak Openings preserve currently owned by Metroparks Toledo. The Site was historically altered for agricultural and silvicultural activities.

- The North Parcel consists of old field, forested habitat, 904 linear feet Stream 1, and 0.21 acres of emergent/scrub-shrub Wetland A.
- The Middle parcel consists of old field, an old homestead site, a trail, Wetland C (emergent, 0.003 acre), Stream 2 (Bushnell Creek, intermittent, 260 linear feet), and Stream 3 (237 linear feet).
- The South Parcel was altered via the establishment of a white pine plantation and currently consists of a white pine stand, a trail, Wetland A (forested, 0.752 acre), Wetland B (forested 0.118 acre), and an unnamed tributary to Swan Creek (395 linear feet).

PROJECT DESCRIPTION: The proposed goals and work plan for the Site are described below:

- Restore 1,596 linear feet of a perennial stream through channel enhancement using the incorporation of channel structures and addressing legacy effects from agricultural land use.
- Re-establish 3.6 acres of forested vernal pool wetlands and 2.2 acres of emergent sand prairie wetlands in areas that have existing hydric soils.
- Rehabilitate 0.8 acres of forested vernal pool wetlands by removing invasive plants and planting native hydrophytes as replacements.
- Re-establish 7.5 acres of upland buffer for wetlands.
- Re-establish 3.1 acres of extra upland forest buffer.

In accordance with the credit generation ratios portrayed in Table 3 of the Oak Openings Metropark In-Lieu Fee Mitigation Plan, The Nature Conservancy proposes to generate a total of 8.2 wetland credits and 3,192 stream credits to offset wetland impacts permitted by the Corps of Engineers or other agencies (see table below). The credits generated would be used to fulfill the mitigation obligations assumed by The Nature Conservancy through the sale of wetland and stream credits anywhere within the service areas as previously described.

Resource Type	Method of Compensation	Acres/LF	Estimated Credit Ratio	Estimated Wetland Credits	Estimated Stream Credits
Stream Restoration	Type 1, Level 1	1,596 ft	2:1	--	3,192
Vernal Pool Wetlands	Re-establishment	3.6 ac	1:1	3.6	--
	Rehabilitation	0.8 ac	1:2	0.4	--
Oak Openings Sand Prairie Wetlands	Re-establishment	2.2 ac	1:1	2.2	--
	Rehabilitation	0.1 ac	1:2	0.1	--
Wetland Buffer (100ft)	Re-establishment	7.5 ac	1:4	1.9	--
Extra Upland Buffer	Re-establishment	3.1 ac	--	--	--
			TOTAL:	8.2	3,192

The entire Oak Openings Metropark In-Lieu Fee Mitigation Plan, including site photographs, may be found on the Buffalo District's website along with this Public Notice:

<https://www.lrb.usace.army.mil/Missions/Regulatory/Public-Notices/>

The plan includes the mitigation work plan as well as other required mitigation plan elements. All portions of the plan are subject to review and approval by the IRT and Corps of Engineers.

Comments or questions pertaining to the work described in this notice should reference the Application Number and be directed to the attention of Susan Baker, who can be contacted at the above address, by calling (716) 879-4474, or by email at Susan.L.Baker@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The Ohio Historic Preservation Office (OHPO) Geocortex Viewer (Viewer) was reviewed for eligible or listed historic federal properties at or near the proposed Site. No known listed or eligible federal historic properties were identified within the Site as per the Viewer. The Site does not contain any structures and was previously subject to and filled for agricultural and silvicultural activities. The Corps has determined that no historic properties will be affected by the proposed Site establishment. Additional information concerning historic properties or cultural resources should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward the submitted information to the OHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers

will consult at the appropriate time with the USFWS to evaluate any potential impacts to Indiana bat, northern long-eared bat, and eastern massasauga to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat. This notice requests early input from USFWS concerning potential impacts to these species and recommendations for minimization of impacts.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-332. Any interested party desiring to comment on the work described herein may do so by submitting their comments in writing, so they are received no later than 4:30pm on the expiration date of this notice.

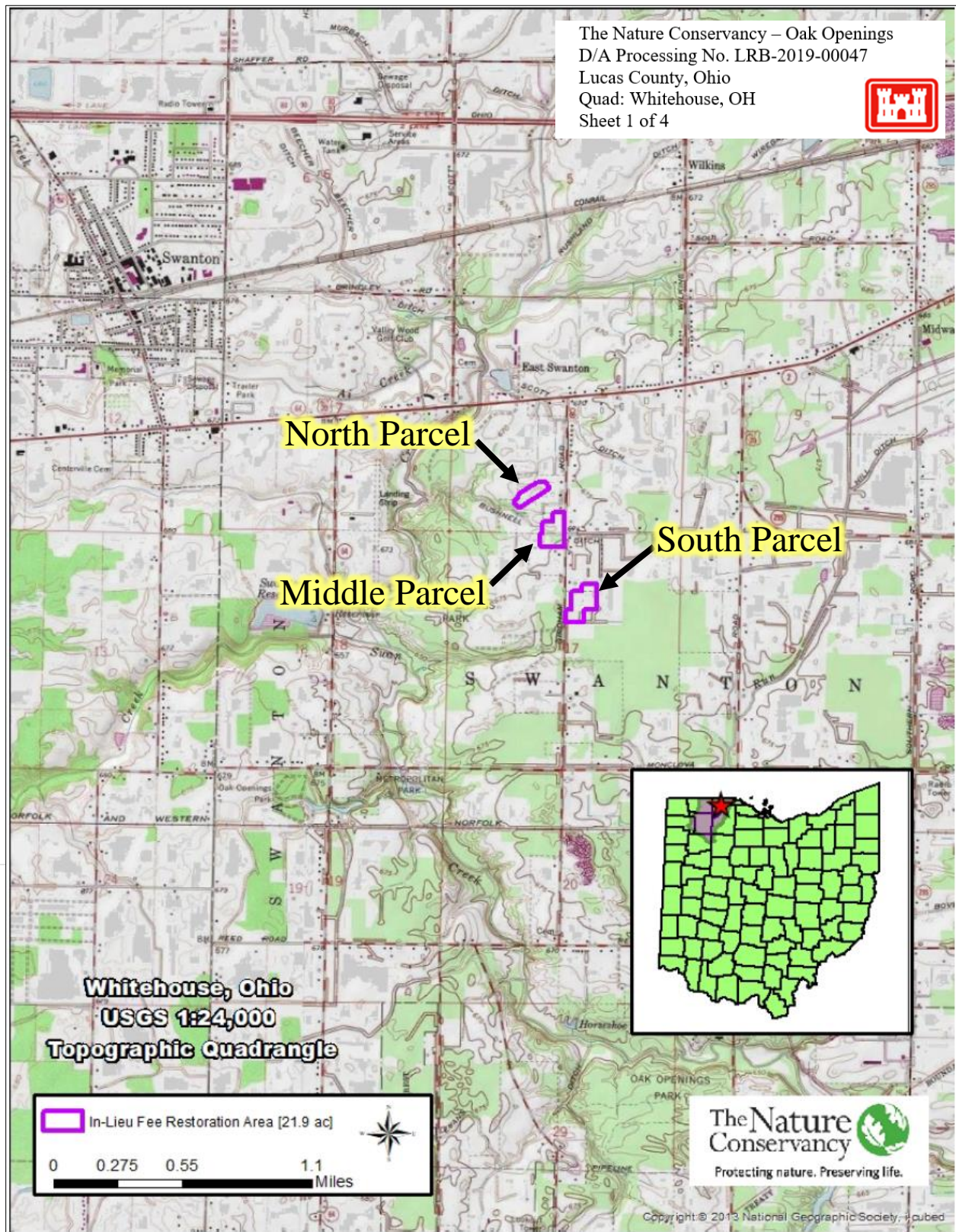
Comments submitted in response to this notice will be fully considered during the review for this proposal. All written comments will be made part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record or portions thereof may also be posted on a Corps internet website. **Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.** Copies of comments received will be forwarded to the sponsor and to the members of the Interagency Review Team.

SIGNED

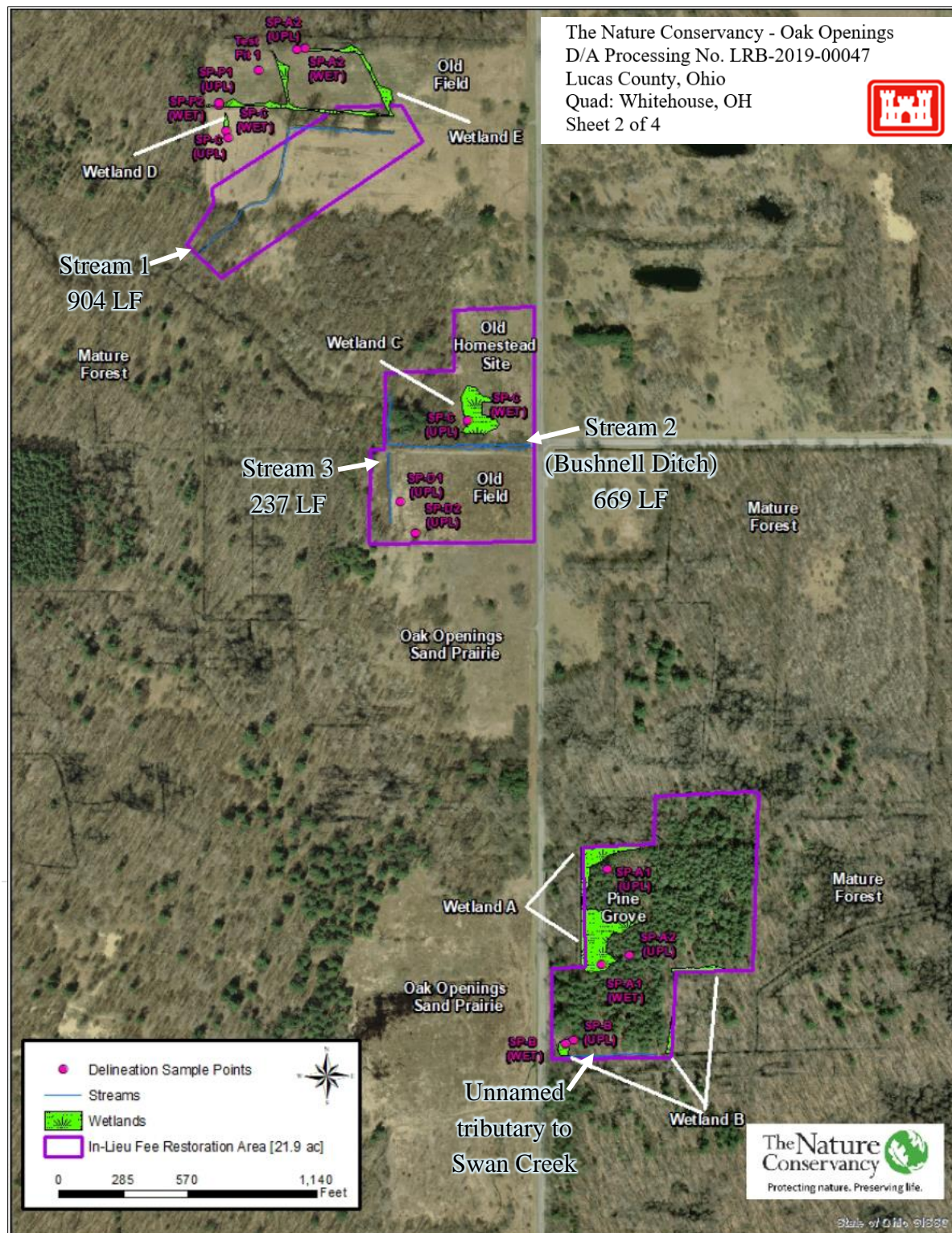
Steven V. Metivier
Acting Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

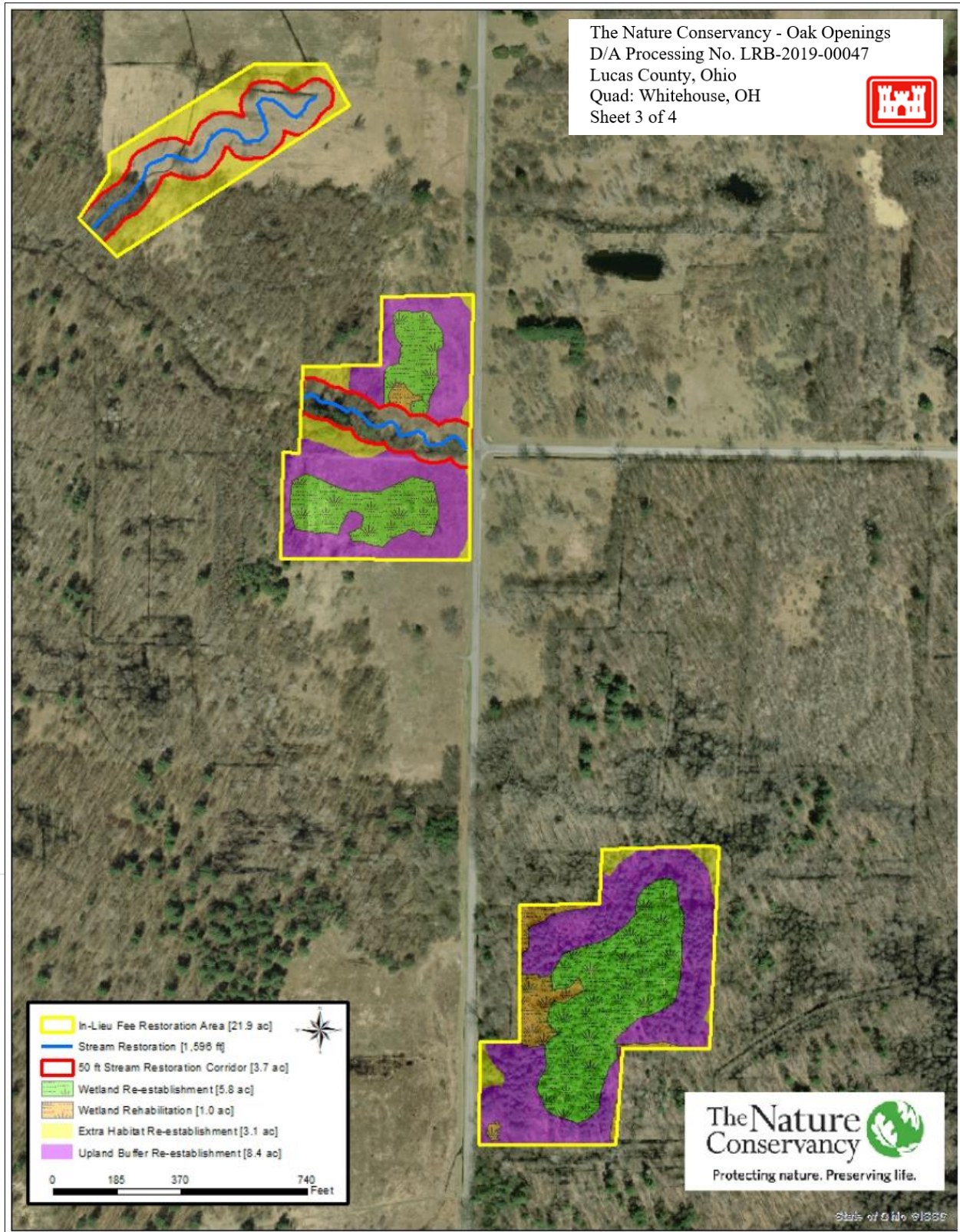
Oak Openings Metropark In-Lieu Fee Mitigation Site Location Map.



Oak Openings Metropark In-Lieu Fee Mitigation Site Aquatic Resources and Other Terrestrial Resources Map.

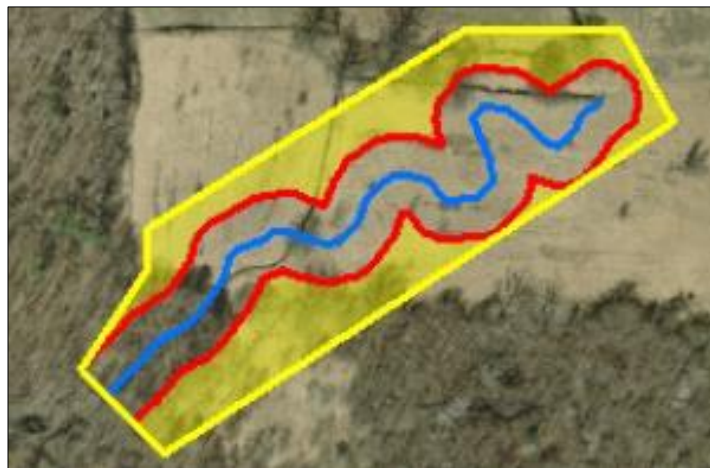


Oak Openings Metropark In-Lieu Fee Mitigation Site Restoration Map.



Oak Openings Metropark In-Lieu Fee Mitigation Site Restoration Map Enlarged.

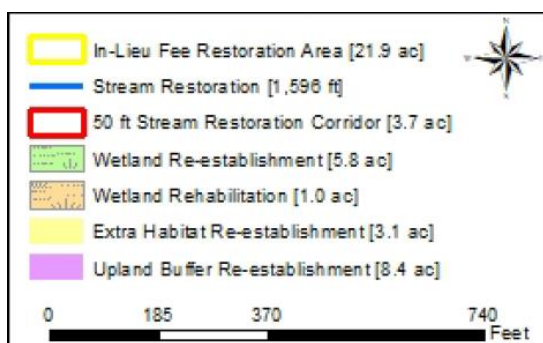
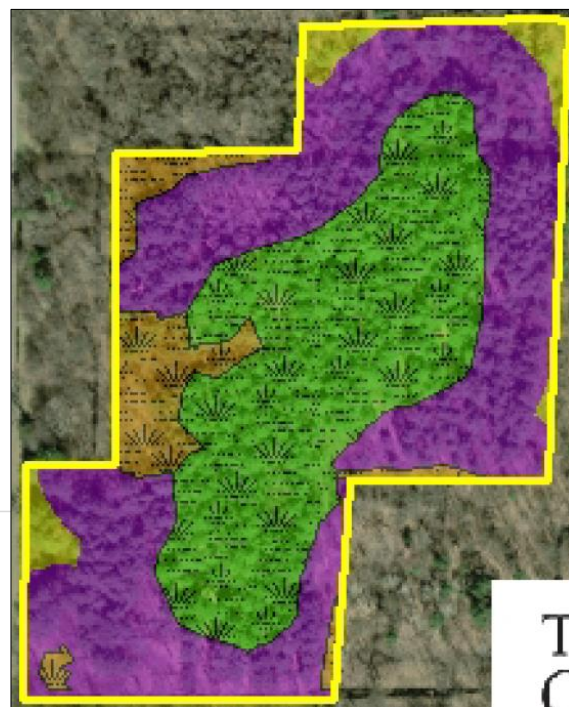
North Parcel



Middle Parcel



South Parcel



The Nature Conservancy - Oak Openings
D/A Processing No. LRB-2019-00047
Lucas County, Ohio
Quad: Whitehouse, OH
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